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| | | |
|---|---|---------------------------------------|
| UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small> | Attorney Docket No. 506612000100 | |
| | First Inventor Jay WOHLGEMUTH et al. | |
| | Title | LEUKOCYTE EXPRESSION PROFILING |
| | Express Mail Label No. EL 903 973 813 US | |

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL 903 973 813 US

Date of Deposit: October 22, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

EL903973813US

CHASE J. TROMBELLA

| APPLICATION ELEMENTS | | Assistant Commissioner for Patents | |
|--|---|---|--|
| See MPEP chapter 600 concerning utility patent application contents. | | Box Patent Application Washington, DC 20231 | |
| 1. <input checked="" type="checkbox"/> | Fee Transmittal Form (e.g. PTO/SB/17) - 1 PG IN DUPLEX (Submit an original, and a duplicate for fee processing) | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) | |
| 2. <input checked="" type="checkbox"/> | Applicant claims small entity status. See 37 CFR 1.27. | 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) | |
| 3. <input checked="" type="checkbox"/> | Specification (preferred arrangement set forth below) - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure | a. <input checked="" type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input checked="" type="checkbox"/> CD-ROM or CD-R (2 copies); AND ii. <input checked="" type="checkbox"/> paper - 1527 pgs c. <input checked="" type="checkbox"/> Statements verifying identity of above copies - 2 pgs | |
| 4. <input checked="" type="checkbox"/> | Drawing(s) (35 USC 113) [Total Sheets 10] | ACCOMPANYING APPLICATION PARTS | |
| 5. <input type="checkbox"/> | Oath or Declaration [Total Pages 6] | 9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) - 6 pgs | |
| a. <input checked="" type="checkbox"/> | Newly executed (original or copy) | 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (where there is an assignee) | <input type="checkbox"/> Power of Attorney |
| b. <input type="checkbox"/> | Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) | 11. <input type="checkbox"/> English Translation document (if applicable) | |
| i. <input type="checkbox"/> | DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b) | 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 | <input type="checkbox"/> Copies of IDS Citations |
| | | 13. <input type="checkbox"/> Preliminary Amendment | |
| | | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) Should be specifically itemized | |
| | | 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) | |
| | | 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent | |

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet

Continuation, Divisional, Continuation-in-part (CIP) or prior application No. *

Prior application information

Examiner: _____ Group / Art Unit: _____

For CONTINUATION OR DIVISIONAL APP.

no disclosure

continuation or divisional application only. The entire disclosure of the prior application, from which an claim is derived, is incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

or Correspondence address below



20872

PATENT TRADEMARK OFFICE

(Insert Customer No. or Attach bar code label here)

| | | | | | | |
|---|-------------------------|-----------------------------------|--------------|-----------------------|--------------|--|
| (Insert Customer No. or Attach bar code label here) | | | | | | |
| Name | Michael R. Ward | | | | | |
| Address | MORRISON & FOERSTER LLP | | | | | |
| | 425 Market Street | | | | | |
| City | San Francisco | State | CA | Zip Code | 94105-2842 | |
| Country | U.S.A. | Telephone | 415/268-6237 | Fax | 415/268-7522 | |
| Name (Print/Type) | MICHAEL R. WARD | Registration No. (Attorney/Agent) | | | 38,651 | |
| Signature | <i>Michael R. Ward</i> | | | Date October 22, 2001 | | |

FEE TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$926.00)

Complete if Known

| | |
|----------------------|------------------------|
| Application Number | To Be Assigned |
| Filing Date | Herewith |
| First Named Inventor | Jay WOHLGEMUTH, et al. |
| Examiner Name | To Be Assigned |
| Group Art Unit | To Be Assigned |

Attorney Docket No. 506612000100

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952

Deposit Account Name Morrison & Foerster LLP

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.272. Payment Enclosed: Check Credit Card Money Order Other

FEE CALCULATION (continued)

FEE CALCULATION

1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|-------------------------|-----------------|----------------|-----------------|------------------------|----------|
| 101 | 740 | 201 | 370 | Utility filing fee | 370 |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$370.00) | | | | | |

2. EXTRA CLAIM FEES

| Total Claims | 54 | - 20** = | 34 | x | 9 | = | \$306.00 |
|--------------------|----|----------|----|---|----|---|----------|
| Independent Claims | 8 | - 3** = | 5 | x | 42 | = | \$210.00 |

Multiple Dependent

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | | | |
|-------------------------|-----------------|----------------|-----------------|---|--|--|--|
| 103 | 18 | 203 | 9 | Claims in excess of 20 | | | |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 | | | |
| 104 | 280 | 204 | 140 | Multiple dependent claims, if not paid | | | |
| 109 | 84 | 209 | 42 | **Reissue independent claims over original patent | | | |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent | | | |
| SUBTOTAL (2) (\$886.00) | | | | | | | |

** or number previously paid, if greater; For reissues, see above.

3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|---------------------------|-----------------|----------------|-----------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions of the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per properties (times number of properties) | 40 |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | | |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$40.00)

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|-----------------|-----------------------------------|----------|-----------|------------------|
| Name (Print/Type) | Michael R. Ward | Registration No. (Attorney/Agent) | (38,651) | Telephone | (415) 268-6237 |
| Signature | Michael R. Ward | | | Date | October 22, 2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

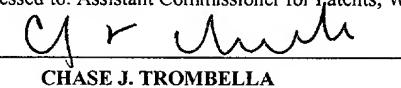
PATENT
Docket No. 506612000100

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CHASE J. TROMBELLA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Jay WOHLGEMUTH et al.

Serial No.: To Be Assigned

Filing Date: Herewith

For: LEUKOCYTE EXPRESSION PROFILING

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

**STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned hereby states that the content of the attached papers and the computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same.

In the unlikely event that the Patent Office determines that an extension and/or other relief is required as a result of this statement, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due to our Deposit account no. 03-1952. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: October 22, 2001

By:

Michael R. Ward

Michael R. Ward
Registration No. 38,651

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